

Amendments to the Drawings

Please replace the drawings on file with the attached 4 replacement sheets of drawings attached herewith.

Remarks/Arguments

Claims 1-15 are pending.

Responsive to the remarks regarding the drawings, applicant submits herewith corrected figures 1-5 on the attached 4 sheets of drawings, wherein the labels have been added to the boxes as requested. Applicant request that the corrected figures be entered in the application.

Responsive to the objection to claim 12, claim 11 has been amended to replace the limitation "if the result of the comparison is positive," with "if the first characteristic is equivalent to the second characteristic."

Rejection of claim 10 under 35 USC 102(b) as being anticipated by Najam (US Pat No 5521491)

Applicant submit that for the reasons discussed below amended claim 10 is not anticipated under 35 USC 102(b) by Najam.

Amended claim 10 recites:

- measurement according to a specified criterion of a first characteristic related to the electrical signal on the first part by the first electrical appliance **from the energizing of the first part and up to the start of a communication with the second electrical appliance;**
- measurement according to said criterion of a second characteristic related to the electrical signal on the second part by the second electrical appliance **from the energizing of the second part and up to receipt of a signal from the first electrical appliance** (emphasis added).

The present invention relates to a method for determining the relative locating of two electrical appliances in an electrical network, for example, to verify that the two electrical appliances are located at the same residence (page 1, lines 10-18). The process according to the invention involves counting the number of electrical periods that occur during a specified duration (page 5, lines 15-29; page 5, lines 35-36). The counts of the first appliance and the second appliance are compared to determine the relative locating. In that regard, claim 10 has been amended to recite measurement of a specified criterion during specified periods in the first and second electrical appliances. Applicant submits that nowhere does Najam disclose or suggest such a limitation.

Najam relates to a device for detecting phase angle between two electrical signals. In particular, the phase angle is measured by detecting the zero voltage crossings at a transmitter unit and a receiver unit and comparing the crossing points (col. 3, lines 6-34). A first transmitting box is connected to a first electrical outlet. The phase of the first electrical outlet is used as the reference phase. The transmitter box injects a data packet of the data carrier frequency at each zero voltage crossing. A second receiving box is connected to a second electrical outlet, wherein the phase of the second electrical outlet is unknown. The receiving box determines the phase angle of the unknown phase relative to the reference phase using the time between each reception of a data packet and each detection of an unknown phase zero cross over.

Nowhere does Najam disclose or suggest measuring a specified criterion over a specified period in the transmitter unit or the receiver unit. Rather, Najam seeks to detect the occurrence of distinct events and determine the phase angle based on the occurrence of these events. As Najam fails to disclose or suggest all of the limitations of claim 10, applicant submits that amended claim 10 is not anticipated by Najam.

Rejection of claims 1-9 under 35 USC 103(a) as being unpatentable over Najam.

Applicant submits that for the reasons discussed below present claims 1-9 are patentably distinguishable over the teachings of Najam.

As discussed above, the present invention is directed to a method for relative locating of first and second electrical appliances which involves counting the number of electrical periods that occur during a specified duration. In that regard, claim 1 recites:

- measurement of a first number of alternations or of electrical periods on the first part by the first electrical appliance from the energizing of the first part and up to transmission of a signal by the first electrical appliance;
- measurement of a second number of alternations or of electrical periods on the second part by the second electrical appliance from the energizing of the second part and up to receipt of a signal from the first electrical appliance

Applicant submits that nowhere does Najam teach or suggest the above-cited limitations of claim 1.

As discussed herein above, Najam teaches detecting the occurrence of particular events, namely zero voltage crossings, to determine the phase angle difference between two electrical signals. Such a measurement is entirely distinguishable from measuring the number of electrical periods over a period of time as recited in the claims.

Applicant also respectfully disagrees with the characterization of the portions of Najam cited in the Office Action. Col. 7, lines 52-57 describes detection by the transmitting box of the zero cross over and the insertion of a small packet onto the line. There is absolutely no teaching or suggestion in the cited portion of measuring a number of alternation or electrical periods during a specified period. Col. 7, line 61 - col. 8, line 8 describes the detection of the data packet and the zero crossing in the receiver unit. Again, there is no teaching or suggestion in the cited portion of measuring a number of alternations or electrical periods during a specified period.

The purpose of Najam, namely to determine a phase angle difference between two electrical signals, is entirely distinguishable from the goal of the present invention, namely to determine the relative locating of two electrical appliances on an electrical network. Najam teaches measuring an aspect of the electrical signal that is entirely different from the measurement recited in the present claims. Further, nowhere does Najam teach or suggest how the measurement recited in the present claims could be implemented in the apparatus of the '491 patent, or why it would be desirable to do so.

Therefore, applicant submits that nowhere does Najam teach or suggest notable features of present claim 1, and as such, present claim 1, and claims 2-9, which depend therefrom, are patentably distinguishable over the teachings of Najam.

Rejection of claims 11-14 under 35 USC 103(a) as being unpatentable over Najam in view of Citta (US Pat No 4553161).

Applicant submits that for the reasons discussed below present claims 11-14 are patentably distinguishable over the teachings of Najam in view of Citta.

Amended claim 11 recites:

- decryption if and only if the first characteristic is equivalent to the second characteristic.

Citta is cited as teaching the feature "... comparing a transmitted data signal with a data signal that is stored on a receiver system (abstract), in this invention is disclosed that a match between the signal transmitted and the stored signal permits decryption (col 4 line 50-54) (Office Action page 7, paragraph 2)"

According to the abstract, Citta compares the VBI line from the CATV headend with the system data stored in each subscriber terminal.

In col. 4, lines 50-54, Citta teaches comparing the received y-bit program tag code with the stored program decode authorization status. The y-bit program tag code is part of the invention transmitted in the vertical blanking interval, VBI. If the tag code matches the stored program decode authorization status, the decoder is permitted to descramble the signal. The matching consists of checking the stored program decode authorization status against the received y-bit program tag code.

Applicant submits that neither cited portion of Citta teaches the feature "decryption if and only if the first characteristic is equivalent to the second characteristic." Citta teaches comparing a transmitted data signal with a data signal that is stored in the receiver, and controlling the receiver in response to this comparison. This is entirely distinguishable from comparing a first characteristic with a second characteristic, each characteristic being related to an electrical signal on first or second part of an electrical network, and decrypting in response to the characteristics. Nowhere does Citta teach or suggest such a feature, or mention why such a feature would be desirable.

In view of the above, applicant submits that Citta fails to cure the defect of Najam as applied to claim 11, and as such, claim 11, and claims 12-14, which depend therefrom, are patentably distinguishable over the combination of Najam and Citta for at least the same reasons as those discussed above with respect to claim 11.

Rejection of claim 15 under 35 USC 103(a) as being unpatentable over Najam in view of Citta (US Pat No 4553161) and further in view of Diehl et al (Publication 2003/0108206).

Diehl is cited as teaching digital decoders able to receive data from satellite or cable connection, and transmit that signal to an appropriate device.

However, the alleged teachings of Diehl fail to cure the defect of Najam and Citta as applied to claim 11 discussed hereinabove. Therefore, applicant submits that present claim 15 is patentably distinguishable over Najam in view of Citta, in further view of Diehl et al, for at least the same reasons as those discussed above with respect to claim 11.

Rejection of claims 3 and 14 under 35 USC 103(a) as being unpatentable over Najam in view of Citta (US Pat No 4553161), and further in view of admitted prior art.

The admitted prior art is cited as teaching that it is known for electrical appliances in the same network to communicate with carrier currents.

However, the admitted prior art fails to cure the defect of Najam and Citta as applied to claim 1 discussed above. That is, none of the references teach or suggest the recited measurement limitation. Therefore, applicant submits that claim 3, which depends from claim 1, is patentably distinguishable over the cited combination of references for at least the same reasons as those discussed above with respect to claim 1.

Further, the admitted prior art also fails to cure the defect of Najam and Citta as applied to claim 11 discussed above. That is, none of the references teach or suggest the recited decryption limitation. Therefore, applicant submits that claim 14, which depends from claim 11, is patentably distinguishable over the cited combination of references for at least the same reasons as those discussed above with respect to claim 11.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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